

FACSIMILE COVER SHEET

NORRIS MCLAUGHLIN & MARCUS, P.A.

875 Third Avenue
18th Floor
New York, NY 10022
Tel.: (212) 808-0700
Fax.: (212) 808-0844

Date: 17 December 2003

To: Examiner Gina C. Yu
US Patent and Trademark Office
Tel. No. 703-308-3951
Fax: 703-~~308-3951~~ 306

Subject: USSN 09/744,642
Our Ref.: 100718-281/ Beiersdorf 702-HCL

From: Howard C. Lee

Comments: Filing of: Petition to Revive Unintentionally Abandoned Application (3 pgs.); Preliminary Amendment for RCE (3 pgs.); RCE (1 pg.); Fee Transmittal (1 pg.); Terminal Disclaimer (3 pgs.); Miscellaneous Communication (2 pgs.)

If you have any questions or need further information, please contact us.

You should receive 14 pages including this cover sheet.

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FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) \$2,270.00

Complete if Known

Application Number 09/744,642
Filing Date January 26, 2001
First Named Inventor Gers-Barlag et al.
Examiner Name Gina C. Yu
Art Unit 1617
Attorney Docket No. 100718-281/ Beiersdorf 702

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit
Account
Number

14-1263

Deposit
Account
Name

Norris, McLaughlin & Marcus

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

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FEE CALCULATION

1. BASIC FILING FEE

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|-------------------------------|-------------------------------|------------------------|----------|
| 1001 790 | 2001 395 | Utility filing fee | |
| 1002 350 | 2002 175 | Design filing fee | |
| 1003 550 | 2003 275 | Plant filing fee | |
| 1004 790 | 2004 395 | Reissue filing fee | |
| 1005 160 | 2005 80 | Provisional filing fee | |
| SUBTOTAL (1) | | | (\$) |

2. EXTRA CLAIM FEES FOR UTILITY AND

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| Independent | -20** = 0 | X | 0.00 |
| Multiple Dependent | -3** = 0 | X | 0.00 |

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|-------------------------------|-------------------------------|--|------------|
| 1202 18 | 2202 9 | Claims in excess of 20 | |
| 1201 88 | 2201 44 | Independent claims in excess of 3 | |
| 1203 300 | 2203 150 | Multiple dependent claim, if not paid | |
| 1204 88 | 2204 44 | ** Reissue independent claims over original patent | |
| 1205 18 | 2205 9 | ** Reissue claims in excess of 20 and over original patent | |
| SUBTOTAL (2) | | | (\$) 50.00 |

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|---|-------------------------------|--|----------|
| 1051 130 | 2051 65 | Surcharge - late filing fee or oath | |
| 1052 50 | 2052 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 130 | 1053 130 | Non - English specification | |
| 1812 2,520 | 1812 2,520 | For filing a request for ex parte reexamination | |
| 1804 920* | 1804 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 1,840* | 1805 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 110 | 2251 55 | Extension for reply within first month | |
| 1252 430 | 2252 215 | Extension for reply within second month | |
| 1253 900 | 2253 490 | Extension for reply within third month | |
| 1254 1,530 | 2254 765 | Extension for reply within fourth month | |
| 1255 2,080 | 2255 1,040 | Extension for reply within fifth month | |
| 1401 340 | 2401 170 | Notice of Appeal | |
| 1402 340 | 2402 170 | Filing a brief in support of an appeal | |
| 1403 300 | 2403 150 | Request for oral hearing | |
| 1451 1,510 | 1451 1,510 | Petition to institute a public use proceeding | |
| 1452 110 | 2452 55 | Petition to revive - unavoidable | |
| 1453 1,370 | 2453 685 | Petition to revive - unintentional | 1,370.00 |
| 1501 1,370 | 2501 685 | Utility issue fee (or reissue) | |
| 1502 490 | 2502 245 | Design issue fee | |
| 1503 680 | 2503 330 | Plant issue fee | |
| 1480 130 | 1460 130 | Petitions to the Commissioner | |
| 1807 50 | 1807 50 | Processing fee under 37 CFR § 1.17(q) | |
| 1806 180 | 1806 180 | Submission of Information Disclosure Statement | |
| 8021 40 | 8021 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 790 | 2809 395 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 1810 790 | 2810 395 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 1801 790 | 2801 395 | Request for Continued Examination (RCE) | 790.00 |
| 1802 900 | 1802 900 | Request for expedited examination of a design application | |
| Other fee (specify) Terminal Disclaimer | | | 110.00 |

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) \$2,270.00

SUBMITTED BY

Name (Print/Type) Howard C. Lee
Signature Howard C. Lee

Registration No.
(Attorney/Agent)

48,104

Complete (if applicable)

Telephone 212-808-0700

Date

December 17, 2004

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DEC 17 2004

Belersdorf 702.1-HCL
100718-281
6713-Dr. R&ar

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : GERS-BARLAG et al.
SERIAL NO. : 09/744,642
FILED : 26 January 2001
FOR : EMULSIFIER-FREE FINELY DISPERSED SYSTEMS OF THE OIL-IN-
WATER AND WATER-IN-OIL TYPE
ART UNIT : 1617
EXAMINER : Gina C. Yu

17 December 2004

Hon. Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

MISCELLANEOUS COMMUNICATION

SIR:

On 12 December 2004, we filed a Notice of Appeal in error as the status of the application was not in after final status; this Notice of Appeal was intended to be filed for a different application. Please remove this Notice of Appeal from the file history so that the Examiner may consider the merits of our response dated 9 October 2003 to her office action.

CONDITIONAL PETITION FOR EXTENSION OF TIME

If entry and consideration of the amendments above requires an extension of time, Applicants respectfully request that this be considered a petition therefor. The Assistant Commissioner is authorized to charge any fee(s) due in this connection to Deposit Account No. 14-1263.

ADDITIONAL FEE

Please charge any insufficiency of fees, or credit any excess, to Deposit Account No. 14-1263.

Closing

If there are any further questions or comments, the Examiner is respectfully requested to telephone the undersigned at telephone number (212) 808-0700 so that the issue(s) might be promptly resolved.

Respectfully submitted,

Norris, McLaughlin & Marcus, P.A.

By: Howard C. Lee
Howard C. Lee
Reg. No. 48,104

875 Third Ave., 18th Floor
New York, New York 10022
(212) 808-0700

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the foregoing Miscellaneous Communication is being facsimile transmitted to the United States Patent and Trademark Office on the date indicated below:

Date: 17 December 2004

By: Agata Gliniska
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